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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAIMON DEVARI MONROE,

Petitioner,

v.

WARDEN WILLIAMS, *et al.*,

Respondents.

Case No. 2:18-cv-01585-RFB-GWF

ORDER

This case is a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, by Daimon Devari Monroe, a Nevada prisoner. The Court received Monroe's habeas corpus petition, along with an application to proceed *in forma pauperis*, a motion for appointment of counsel, and a motion for discovery, on August 23, 2017 (ECF Nos. 1, 1-1, 2, 3).

Monroe's application to proceed *in forma pauperis* does not include the required financial certificate, signed by an authorized prison officer, showing his financial status. See LSR 1-2 ("When submitting an application to proceed *in forma pauperis*, an incarcerated or institutionalized person must simultaneously submit a certificate from the institution certifying the amount of funds currently held in the applicant's trust account at the institution and the net deposits in the applicant's account for the six months before the date of submission of the application.") The Court will, therefore, deny Monroe's application.

1 Monroe indicates, and his habeas petition suggests, that the statutory one-year
2 limitations period for initiating this action may be close to expiration. Therefore, rather
3 than dismissing this action, the Court will grant Monroe time to pay the \$5 filing fee or
4 submit a proper application to proceed *in forma pauperis*.

5 If Monroe fails to either pay the filing fee or file a proper application to proceed *in*
6 *forma pauperis* within the time allowed, the Court will dismiss this action.

7 **IT IS THEREFORE ORDERED** that the petitioner's application to proceed *in forma*
8 *pauperis* (ECF No. 1) is **DENIED**.

9 **IT IS FURTHER ORDERED** that the petitioner will have 60 days from the date of
10 this order to have his payment of the filing fee of \$5 sent to the Clerk of the Court, or,
11 alternatively to file a new, properly completed, application to proceed *in forma pauperis*.
12 If Petitioner elects to pay the \$5 filing fee, he must make the necessary arrangements to
13 have one copy of this order attached to the check and sent to the Court in payment of the
14 filing fee.

15 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to send the
16 petitioner two copies of this order, along with two copies of the form application to proceed
17 *in forma pauperis*.

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19 DATED this 23rd day of August, 2018.

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22 RICHARD F. BOULWARE, II,
23 UNITED STATES DISTRICT JUDGE
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